

Notice of Allowability

Application No.

09/963,714

Examiner

Scott T Baderman

Applicant(s)

DUTTA ET AL.

Art Unit

2113

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the communication filed September 26, 2001.
2. ☒ The allowed claim(s) is/are 1-43.
3. ☒ The drawings filed on 26 September 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Jeffrey LaBaw (Reg. # 31,633) on February 1, 2005.

The application has been amended as follows:

In claim 1, line 1 change "emulating" to "evaluating".

In claim 1, line 4 change "selected" to "different".

In claim 1, line 7 delete "the" (first occurrence).

In claim 2, line 4 delete "the" (second occurrence).

In claim 8, line 2 change "selected" (second occurrence) to "different".

In claim 9, line 3 change "selected" to "different".

In claim 13, line 4 change "selected" to "different".

In claim 13, line 8 delete "the" (first occurrence).

In claim 14, line 3 delete "the" (second occurrence).

In claim 20, line 2 change "selected" (second occurrence) to "different".

In claim 21, line 3 change "selected" to "different".

In claim 26, line 3 change "the" (first occurrence) to "a".

Art Unit: 2113

In claim 26, line 3 change “selected” to “different”.

In claim 26, line 4 change “the” (first occurrence) to “an”.

In claim 26, line 4 change “selected” to “different”.

In claim 26, line 5 change “selected” to “different”.

In claim 26, line 6 change “selected” to “different”.

In claim 26, line 8 delete “the” (first occurrence).

In claim 26, line 9 delete “,”.

In claim 28, line 2 delete “the” (second occurrence).

In claim 28, line 5 delete “the” (second occurrence).

In claim 29, line 5 delete “the”.

In claim 29, insert a period after “comparison”.

In claim 30, line 2 change “the” (second occurrence) to “a”.

In claim 33, line 2 change “selected” (second occurrence) to “different”.

In claim 34, line 2 delete “the”.

In claim 34, line 2 change “criteria” to “rules”.

In claim 36, lines 1-2 change “browser criteria” to “rules”.

In claim 37, line 4 change “the” (first occurrence) to “a”.

In claim 37, line 4 change “selected” to “different”.

In claim 37, line 5 change “the” (first occurrence) to “an”.

In claim 37, line 6 change “selected” (both occurrences) to “different”.

In claim 37, line 8 change “selected” to “different”.

In claim 37, line 10 delete “the” (first occurrence).

Art Unit: 2113

In claim 37, line 12 delete “;”.

In claim 39, line 2 delete “the” (second occurrence).

In claim 39, line 6 delete “the”.

In claim 40, line 5 delete “the”.

In claim 40, insert a period after “comparison”.

In claim 41, line 3 change “the” (second occurrence) to “a”.

Allowable Subject Matter

2. Claims 1-43 are allowed.

3. The following is an examiner’s statement of reasons for allowance:

With respect to claims 1 and 13, the Examiner asserts that the novelty of the claims, when read as a whole, is the process of “simultaneously displaying with the browser program outputs, the results of a comparison of each browser output against an established browser criteria.”

With respect to claim 22, the Examiner asserts that the novelty of the claim, when read as a whole, is “a user interface machine capable of simultaneously displaying the web page on multiple web browser programs; a browser evaluation program in communication with a user interface, said browser evaluation program capable of retrieving a web file containing multiple web pages, establishing browser comparison criteria, and modifying a web page; and a

Art Unit: 2113

communication network capable of providing a communication connection between said browser evaluation program and said user interface machine.”

With respect to claims 26 and 37, the Examiner asserts that the novelty of the claim, when read as a whole, is the process of “simultaneously executing a web page file on the different browser programs and applying an established set of rules to the web page displayed by the different browser programs as a result of executing the web page file on the different browsers; generating a scorecard for the different browser programs displaying the web page based on the results of the applied rules to the web page; and simultaneously displaying selected web browser outputs of the web page and the scorecard for the browser programs displaying the web page on the same screen.”

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

See Form PTO-892.

Art Unit: 2113

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Scott T Baderman whose telephone number is (571) 272-3644.

The examiner can normally be reached on Monday-Friday, 6:45 AM-4:15 PM, first Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Beausoliel can be reached on (571) 272-3645. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Scott T Baderman
Primary Examiner
Art Unit 2113

STB